

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MICHAEL CASAROTTI,) NO. CV 08-6966-RGK(E)
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)
) Petitioner,)
)
)
) v.) ORDER ADOPTING FINDINGS,
)
)
) JOHN C. MARSHALL, Warden,) CONCLUSIONS AND RECOMMENDATIONS OF
)
)
) Respondent.) UNITED STATES MAGISTRATE JUDGE
)
)

Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, all of the records herein and the attached Report and Recommendation of United States Magistrate Judge. The Court approves and adopts the Magistrate Judge's Report and Recommendation.

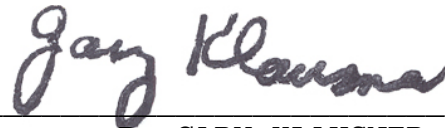
IT IS ORDERED that the Petition is conditionally granted. Within ninety (90) days of the entry of Judgment herein, or such further time as reasonably allowed under state law, Respondent shall release Petitioner on parole unless, within that period of time, the California Board of Parole Hearings either: (1) sets a release date for Petitioner pursuant to California law; or (2) holds a new parole

1 suitability hearing for Petitioner and renders a decision in conformity
2 with the requirements of due process, consistent with the law discussed
3 in the Report and Recommendation.
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5 IT IS FURTHER ORDERED that the Clerk serve copies of this Order,
6 the Magistrate Judge's Report and Recommendation and the Judgment
7 herein by United States mail on Petitioner and counsel for Respondent.
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9 LET JUDGMENT BE ENTERED ACCORDINGLY.
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11 DATED: May 13, 2009.
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15 R. GARY KLAUSNER
16 UNITED STATES DISTRICT JUDGE
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